

SENATOR WARNER: I wonder if Senator Schmit would yield to a couple of questions?

SPEAKER NICHOL: Would you respond, Senator Schmit, please?

SENATOR SCHMIT: I yield, Senator.

SENATOR WARNER: A couple of things that would be helpful if I could understand the intent of the amendment. As now worded, egress and ingress if reasonable for any period of construction and maintenance, what would we assume any period of time length to be?

SENATOR SCHMIT: I believe, Senator, that would be in the discretion of the department. We have only indicated in the statute that the department shall, if at all reasonable, provide that ingress and egress and I would hope in the contractual arrangements for the construction proposal that that would be covered in a manner that would be considered acceptable to the local businesses.

SENATOR WARNER: I had an amendment that defined a reasonable period, in excess of seven work days, would that seem...?

SENATOR SCHMIT: Are you saying, Senator, that seven work...that the denial of access for seven work days would be considered reasonable?

SENATOR WARNER: Possibly. I am trying to arrive at how...see, I am thinking of the highway thing here deals with contractors. We are also talking about governmental subdivisions a lot of...let's say a water main blew up, which is not inconceivable that would block access. Everybody would say it is reasonable, of course, to go in there and take three, four days maybe to tear it up and fix it, lay it back but I could presume that someone could harass a little community, they do the work themselves, not an outside contractor, that because of statute that access has to be provided even for temporary closing of that nature, and I was wondering if you would see a problem with putting a limit on or a minimum number of days that could be excused from the statute?

SENATOR SCHMIT: I guess that I would say this, Senator, I would think that it would work more to the detriment of the